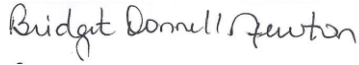


Approved: 
Attest: -



Approval Date and Meeting Number: March 27, 2017; 14-17

MINUTES
MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
February 27, 2017; Meeting No. 09-17

1. Convene

The Mayor and Council convened in a regular meeting at 7:00 p.m. on Monday, February 27, 2017 in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Present: Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia D. Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Staff Present: City Manager Rob DiSpirito, City Attorney Debra Daniel and City Clerk/Director of Council Operations, Kathleen Conway

2. Pledge of Allegiance

Mayor Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Kathleen Conway reported that there were no changes to the agenda.

4. City Manager's Report

City Manager Rob DiSpirito presented information on the following topics: follow up to Diversity Town Hall; Public Hearing reminder about the enforcement of Federal Immigration Laws; thank you to East Rockville Citizens Association for hosting him at their recent meeting; Senior Needs Assessment - new Senior Guide now available; Rockville ranked #9 in diversity by Wallet Hub for all cities.

5. Community Forum

Name	Topic
Christine Borger and Girl Scout Troop 2419	Thank you to the Mayor and Council; presented a box of Girl Scout cookies to each Councilmember
Christy Shannon	Sanctuary City
Claire Funkhouser	Chestnut Lodge

Carol Schlenker	Rockville Police Role as Ordinance
Nancy Pickard	Chestnut Lodge
Larry Giammo	Chestnut Lodge
Colleen Reed	Rockville Police Role as Ordinance
Michelle Day	Rockville Chamber of Commerce Update
Matt Goguen	Chestnut Lodge
Marion Hull	Chestnut Lodge
Jill Martineau Cornish	Recreation Guide, Senior Services Guide and Chestnut Lodge
Paul Newman	Chestnut Lodge
Andrew Berman	Chestnut Lodge

6. Mayor and Council's Response to Community Forum and Announcements

The Mayor and Council thanked everyone for their participation in Community Forum.

7. Mayor and Council Reports

The Mayor and Council provided updates on their recent activities, including Boards and Commission meetings and Community Events.

8. Appointments/Reappointments and Announcement of Boards and Commission Vacancies

Motion: to reappoint Alicia Hosmer to the Environment Commission to serve as a member until October 1, 2019

Moved by Councilmember Pierzchala, seconded by Councilmember Palakovich Carr and approved unanimously.

Motion: to appoint Larissa Johnson to the Environment Commission to serve as a member until February 1, 2020

Moved by Councilmember Pierzchala, seconded by Councilmember Onley and approved unanimously.

Motion: to reappoint Clark Reed to the Environment Commission to serve as a member until October 1, 2019

Moved by Councilmember Pierzchala, seconded by Councilmember Palakovich Carr and approved unanimously.

Motion: to appoint Leonard Briskman to the Financial Advisory Board to complete an unexpired term and serve as a member until June 1, 2019, and to appoint Andrey Ostrovsky and Eric Strong as members to serve until March 1, 2020

Moved by Councilmember Feinberg, seconded by Councilmember Onley and approved unanimously.

Mayor Newton announced the current Boards and Commissions vacancies.

9. Consent Agenda

- A. Authorization to Increase the Award of IFB #02-16, East Rockville Sanitary Sewer Capacity Improvements, to Fort Myer Construction Corporation in an Amount Not to Exceed \$278,000.00
- B. Approval of Letter Supporting Restrictions on Bigger Trucks

Motion: to approve the Consent Agenda

Moved by Councilmember Feinberg, Pierzchala, seconded by Councilmember Pierzchala and approved unanimously.

10. Introduction - Policy/Resolution on the Role of the Rockville Police Department in the Enforcement of Federal Immigration Law; or Ordinance to amend Chapter 11 of the Rockville City Code entitled "Human Rights" so as to add a new Section 11-3 entitled "Fostering Community Trust".

Deputy City Manager Jenny Kimball presented the Staff Report for this Agenda Item and led the discussion with the Mayor and Council. Councilmember Palakovich Carr thanked her colleagues for their willingness to have the discussion this evening and offered information regarding current Federal law and current practice, along with her reasons for bringing forward this ordinance. Discussion topics included the need for clarity regarding what is required and what is discretionary in any legislation; the need for clarity so that people know what to expect; the clarification that Rockville complies with Federal law and will not break Federal law; the need to listen to our community in the upcoming Public Hearing; concerns that people are frightened; clarification of Federal Grant Money, timing and if impact on Rockville's budget and projects; lack of clarity in the Executive Order about federal funding; protection of immigrants who are here legally; description of current Rockville Police practice and reasonable cause.

Councilmember Palakovich Carr introduced the Ordinance with the expectation that a Public Hearing will be held.

11. Authorization for the City Manager to Execute a Contract of Sale for the Purchase of Property at 500 W. Montgomery Avenue, Rockville, Maryland, for the Purpose of Creating a Passive Public Park

City Manager Rob DiSpirito presented this agenda item. Discussion topics included: reserve levels and the cost of this opportunity to the reserves; the opportunity to add more park land to the City; clarification that the confidential acquisition process was necessary due to the nature of the land purchase negotiations.

Motion: move that, for the purpose of creating a public park of approximately 6.39 acres, the Mayor and Council authorize the City Manager to 1) execute a contract of sale for 500 W. Montgomery Avenue from JNP Chestnut Lodge LLC, in a form acceptable to the City Attorney and 2) execute all documents, approved by the City Attorney necessary to effectuate the purchase of the property subject to the conditions that (a) the two adjacent parcels owned by the Chestnut Lodge Community Association, Inc., known as Parcels A and B, are transferred to the City of Rockville, and (b) no restrictions are placed on any of the land thus acquired by the City.

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved 4 - 1, with Councilmember Palakovich Carr voting no.

The Mayor and Council recessed for break at 9:04pm and returned from break at 9:18pm.

12. Presentation of the Fiscal Year 2018 Proposed Operating Budget and Capital Improvements Program (CIP)

City Manager Rob DiSpirito presented an overview of the FY18 Budget, followed by a presentation from Deputy Finance Manager Stacey Webster and discussion with the Mayor and Council. Discussion topics with the Mayor and Council included: stormwater management credits for HOAs that own and manage stormwater management facilities and the Mayor and Council Budget Worksession on Thursday, March 2nd at 7pm.

13. Introduction of an Ordinance to Appropriate Funds and Levy Taxes for FY 2018

Councilmember Feinberg introduced the ordinance.

14. Introduction of a Resolution to Establish the Equivalent Residential Unit Rate to be Used in Calculating the Stormwater Management Utility Fee Pursuant to Chapter 19 Entitled “Sediment Control and Stormwater Management” of the Rockville City Code; and to Establish a Fee for Application for a Credit Against the Stormwater Management Utility Fee for Private Stormwater Management Facilities

Councilmember Palakovich Carr introduced the resolution.

15. Introduction of a Resolution to Establish the Service Charge Rate for Municipal Refuse Collection and to Establish a Charge for Unreturned Refuse and Recycling Carts pursuant to Section 20-6 of the Rockville City Code

Councilmember Pierzchala introduced the resolution.

16. Review and Comment – Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

17. Review and Comment – Future Agendas

The Mayor and Council reviewed future agendas.

Old/New Business

No action.

18. Adjournment

Motion: to adjourn at 9:54pm

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved unanimously.